Amendment in Response to Non-Final Office Action I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filling system in accordance with § 1.6(a)(4).

Dated: February 10, 2009 Signature: //Christina M. Sperry/
(Christina M. Sperry, Reg. No. 47,106)

Docket No.: 101896-0239 (DEP5150CIP)

(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Jonathan Fanger et al.

Application No.: 10/776,414

Confirmation No.: 2408

Filed: February 11, 2004

Art Unit: 3774

For: GUIDE FOR SPINAL TOOLS, IMPLANTS,

Examiner: A. J. Stewart

AND DEVICES

## AMENDMENT IN RESPONSE TO NON-FINAL OFFICE ACTION

MS Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Madam:

## INTRODUCTORY COMMENTS

This paper is in response to the Office Action dated November 18, 2008.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 11 of this paper.